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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,115	09/19/2003	LeNoir E. Zaiser	2173.2004-001	8421
21005	7590 03/21/2006		EXAMINER	
HAMILTON, BROOK, SMITH & REYNOLDS, P.C. 530 VIRGINIA ROAD			CHAMBERS, A MICHAEL	
P.O. BOX 9133		ART UNIT	PAPER NUMBER	
CONCORD	, MA 01742-9133		3753	

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

		<u> </u>				
	Application No.	Applicant(s)				
	10/666,115	ZAISER ET AL.				
Office Action Summary	Examiner	Art Unit	٦			
. <u> </u>	A. Michael Chambers	3753				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the	correspondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA. - Extensions of time may be available under the provisions of 37 CFR 1.1: after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period versilized to reply within the set or extended period for reply will, by statute any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be will apply and will expire SIX (6) MONTHS from the application to become ABANDON	ON. timely filed om the mailing date of this communication. NED (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on	 action is non-final.					
3) Since this application is in condition for allowar						
closed in accordance with the practice under E	Ex parte Quayle, 1935 C.D. 11,	453 O.G. 213.				
Disposition of Claims						
4) Claim(s) 1-26 is/are pending in the application.						
4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) 1-26 are subject to restriction and/or	election requirement.					
Application Papers						
9) The specification is objected to by the Examine	r.					
10) The drawing(s) filed on is/are: a) acc	epted or b) objected to by the	e Examiner.				
Applicant may not request that any objection to the	drawing(s) be held in abeyance. S	ee 37 CFR 1.85(a).				
Replacement drawing sheet(s) including the correct						
11)☐ The oath or declaration is objected to by the Ex	caminer. Note the attached Office	ce Action or form PTO-152.				
Priority under 35 U.S.C. § 119						
12) ☐ Acknowledgment is made of a claim for foreign a) ☐ All b) ☐ Some * c) ☐ None of:	priority under 35 U.S.C. § 119((a)-(d) or (f).				
1. Certified copies of the priority document	1. Certified copies of the priority documents have been received.					
2. Certified copies of the priority document						
3. Copies of the certified copies of the prior		ved in this National Stage				
application from the International Bureau	•					
* See the attached detailed Office action for a list	or the certified copies not recei	vea.				
Attachment(s)						
1) Notice of References Cited (PTO-892)	4) Interview Summa Paper No(s)/Mail					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) 🔲 Notice of Informa	Date I Patent Application (PTO-152)				
Paper No(s)/Mail Date	6) Other:					

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Restriction

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-22, drawn to a fluid device including a pilot controlled pneumatic valve having a filter, classified in class 137, subclass 544+.
- II. Claim 23-26, drawn to a method of making (assembling) a fluid system, classified in class 137, subclass 15.01+.
- 2. The inventions are distinct, each from the other because of the following reasons:

Inventions II and I are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the claims of Group I do not recite or require the steps of assembling recited I the claims of Group II. The subcombination has separate utility such as a filtered diaphragm valve.

- 3. Because these inventions are independent or distinct for the reasons given above and have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.
- 4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the

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application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the 5. examiner should be directed to A. Michael Chambers whose telephone number is 571-272-4908. The examiner can normally be reached on Mon-Thur. 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor. Gene Mancene can be reached on 571-272-4406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

> A. Michael Chambers Primary Examiner Art Unit 3753

amc 03/18/06